

Exhibit 10

1 UNITED STATES DISTRICT COURT

2 FOR THE NORTHERN DISTRICT OF OHIO

3 EASTERN DIVISION

4 - - -

5 IN RE: NATIONAL PRESCRIPTION

6 OPIATE LITIGATION Case No.

7 1:17-MD-2804

8 APPLIES TO ALL CASES Hon. Dan A.

9 Polster

10 Case No. 1:17-MD-2804

11 - - -

12 January 17, 2019

13 HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER

14 CONFIDENTIALITY REVIEW

15 Videotaped deposition of

16 DOUGLAS BOOTHE, held at 250 Hudson Street,

17 New York, New York, commencing at 9:00 a.m.,

18 on the above date, before Marie Foley, a

19 Registered Merit Reporter, Certified

20 Realtime Reporter and Notary Public.

21 - - -

22 GOLKOW LITIGATION SERVICES

23 877.370.3377 ph | 917.591.5672 fax

24 Deps@golkow.com

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<p>1 Do you see that?</p> <p>2 A. Yes.</p> <p>3 Q. And then a little further down</p> <p>4 there's a question from you: What can we</p> <p>5 do to reestablish our script level over</p> <p>6 26,000 per week?</p> <p>7 A. Yes.</p> <p>8 Q. And that was Kadian scripts?</p> <p>9 A. It's not clear, but I think</p> <p>10 that's a yes. But it could be Kadian and,</p> <p>11 by the way, generic Kadian. I believe in</p> <p>12 the August of 2011 time frame, there was</p> <p>13 generic Kadian and our authorized generic.</p> <p>14 So it's potential or probable it was both</p> <p>15 combined, both branded Kadian and the</p> <p>16 generic Kadian if, at that time, the</p> <p>17 generic Kadian was available.</p> <p>18 Q. Okay. And a little further down</p> <p>19 you write: Have we scratched any ideas</p> <p>20 around speakers forums?</p> <p>21 Do you see that?</p> <p>22 A. Yes.</p> <p>23 Q. And, had you scratched any ideas</p> <p>24 around speakers forum at that time for the</p>	<p>1 invested. That's why we used a contract</p> <p>2 sales organization. We tried to, again,</p> <p>3 slow down the rate at which prescriptions</p> <p>4 were declining. That was our plan.</p> <p>5 Q. The contract sales organization</p> <p>6 inVentiv?</p> <p>7 A. Correct.</p> <p>8 Q. And, do you recall using</p> <p>9 speakers forums for other opioid products?</p> <p>10 MS. WELCH: Objection to form.</p> <p>11 A. We didn't -- I don't think we</p> <p>12 ever -- well, we had plans to potentially</p> <p>13 do some sort of speaker forum on the</p> <p>14 Moxduo product, but that never got</p> <p>15 approved by the FDA. So the programs</p> <p>16 never went into -- into place. We had</p> <p>17 done prelaunch planning on that. And</p> <p>18 those are the only two items, both the</p> <p>19 Kadian brand and the potential Moxduo,</p> <p>20 which would have been in promotional</p> <p>21 activities of Actavis. Moxduo was never</p> <p>22 approved, and I don't believe we ever did</p> <p>23 speaker forums on Kadian.</p> <p>24 MS. BAIG: Okay. Good time to</p>
<p style="text-align: center;">Page 199</p> <p>1 promotion of Kadian?</p> <p>2 A. I don't know.</p> <p>3 Q. You don't recall learning that?</p> <p>4 A. I think that's why I asked the</p> <p>5 question had we. I was asking Nathalie,</p> <p>6 this is something the team was</p> <p>7 considering. I don't know if they did or</p> <p>8 didn't or if they were or they weren't.</p> <p>9 Q. Okay. Do you recall whether or</p> <p>10 not Actavis used speakers forums to</p> <p>11 promote Kadian at any time?</p> <p>12 A. I don't believe we ever did.</p> <p>13 Q. Okay. Do you recall any</p> <p>14 discussions about that?</p> <p>15 A. There may have been discussions</p> <p>16 I may or may not have been part of. But,</p> <p>17 again, at the end of the day, I don't</p> <p>18 believe we ever did speakers forums for</p> <p>19 this product.</p> <p>20 I mean, we had a very finite</p> <p>21 period of time from when we acquired the</p> <p>22 asset to when we expected the generic</p> <p>23 market to form. It's about six quarters.</p> <p>24 So I -- we never were significantly</p>	<p style="text-align: center;">Page 201</p> <p>1 take lunch.</p> <p>2 MS. WELCH: Okay.</p> <p>3 MS. BAIG: How much time would</p> <p>4 you like?</p> <p>5 MS. WELCH: 45 minutes.</p> <p>6 MS. BAIG: Sure.</p> <p>7 THE VIDEOGRAPHER: We're going</p> <p>8 off the record.</p> <p>9 The time is 12:29 p.m.</p> <p>10 (Luncheon recess taken.)</p> <p>11 - - -</p> <p>12 A F T E R N O O N S E S S I O N</p> <p>13 - - -</p> <p>14 THE VIDEOGRAPHER: We're going</p> <p>15 back on the record.</p> <p>16 The time is 1:17 p.m.</p> <p>17 MS. BAIG: So, we'll have this</p> <p>18 document marked as the next exhibit,</p> <p>19 please.</p> <p>20 It's Bates stamped</p> <p>21 ACTAVIS1025294 through '297. It</p> <p>22 starts as an email from Jennifer</p> <p>23 Altier to Erin Faucette and Liz Reese</p> <p>24 at an organization named Technekes.</p>